

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

CYBERCODERS, INC.,

Petitioner,

v.

**UNITED STATES DEPARTMENT OF
LABOR, et al.,**

Respondents.

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NO. 4:24-mc-00001

**PETITIONER CYBERCODERS, INC.'S MOTION TO QUASH THE
UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION'S
SUBPOENA DUCES TECUM**

Petitioner CyberCoders, Inc. (“CyberCoders”) respectfully moves the Court under Federal Rule of Civil Procedure 45 and the United States Constitution, for an order quashing the United States Department of Labor Wage and Hour Division’s (“DOL-WHD” or “Division”) subpoena *duces tecum* to CyberCoders. In support of its Motion to Quash (the “Motion”), and in accordance with Local Rule 7.1(d), CyberCoders simultaneously files its Brief in Support of Its Motion to Quash (“Brief”), which sets forth the facts, arguments, and authorities entitling CyberCoders to the relief sought. Also, in support of its Motion, CyberCoders simultaneously files a separate, self-contained Appendix with the evidence it relies on for factual support. *See* Local Rule 7.1(i).

Based on the facts, arguments, and authorities in the Brief, along with the materials in the Appendix, the Division’s subpoena should be quashed as it is invalid, overbroad, and seeks materials unrelated to any permissible investigation by the Division. Therefore, CyberCoders respectfully requests the Court grant CyberCoders’ Motion to Quash, quash the Division’s subpoena, and grant CyberCoders such other relief the Court finds is justified.

Dated: January 18, 2024

Respectfully submitted,

/s/ Kimberly R. Miers

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CERTIFICATE OF COUNSEL

On January 12, 2024, and January 16, 2024, counsel conferred with Respondent, in a good-faith effort to resolve the issues raised in this motion. As of the filing of this motion, Petitioner has not received a response from Respondent.

/s/ Kimberly R. Miers

Kimberly R. Miers

CERTIFICATE OF SERVICE

On January 18, 2024, the foregoing document was filed via the Court's CM/ECF filing system and served to Respondent via certified mail on January 18, 2024, as follows:

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